

REMARKS

Claims 1, 3, 7, 9, 10, 15-19, 21-23, 25 and 26 are pending. Claims 1, 7 and 15-18, 19 and 23 are the independent claims. Favorable reconsideration is requested.

Claims 1, 7, 10 and 15-19, 22, 23 and 26 were rejected under 35 U.S.C. § 103 over U.S. Patent Publication 2001/0037266 (Schroeder) in view of U.S. Patent 5,859,971 (Bittinger et al.) and further in view of U.S. Patent 6,647,415 (Olarig et al.). Claims 3, 9, 13, 21 and 25 were rejected under 35 U.S.C. § 103 over Schroeder, Bittinger et al. and Olarig et al., and further in view of U.S. Patent 5,852,717 (Bhide et al.). Applicant traverses.

Claim 1 is directed to a method of identifying a server that is one of a plurality of servers from a client terminal having a browser, a memory device and a processor, the plurality of servers and the client terminal being connectable with each other via a communications network. The method includes: a) transmitting a first request packet from the browser to one of the plurality of servers for requesting identity of an intended server maintaining a shared data file; b) receiving the first request packet at the one server and transmitting therefrom server specific information to the browser, indicating the identity of the intended server; c) receiving the server specific information at the browser; d) transmitting a second request packet from the processor containing the identity of the intended server to the network for requesting downloading of the shared data file, whereby the second request packet is automatically routed through the network to the intended server; e) receiving the second request packet at the intended server and downloading the requested shared data file from the intended server to the processor, and storing the downloaded shared data file in the memory device; and f) transmitting from the intended server to the processor differential data representing a difference between an

updated version of the shared data file currently maintained by the intended server and the shared data file that was downloaded in step (e) from the intended server to the processor. The server specific information transmitted to the browser contains the identity of a second server if the shared data file has been moved from the intended server to the second server.

As has been discussed in previous response, Schroeder provides a plurality of E-commerce servers 28, 30, 32 and a UPC (universal product code) image file server 10. The purpose of Schroeder's invention is to ensure that the most up-to-date photos of manufactured products are received by a visitor to a Web site.

That is, in Schroeder, when a client terminal attempts to view/download a picture of a manufacturer's product at the manufacturer's e-commerce Web site, only the web page source and proprietary images (i.e., *not* the product images) are sent from the e-commerce server. The product images themselves are called from the UPC image server system, which always contains the most up-to-date pictures of the products.

The way this occurs is shown in Fig. 1. The client browser 22, 24, 26 initially accesses (34) one of the servers 28, 30, 32. The client browser receives a web page, along with the identity (36) of the UPC image file server 10 that includes the latest picture of the product. The client browser then accesses (38) the server 10, which then forwards the current picture of the product to the client browser.

Schroeder's invention relates to forwarding image files, i.e., the latest images of a manufacturer's product, to a client browser from an image file server. The Office Action

took the position that the product images in Schroeder correspond to the recited shared data file.

It was conceded in the Office Action that Schroeder contains no teaching of sending differential data representing a difference between an updated version of the shared data file (which the Office Action contends corresponds to product images) currently maintained by the intended server (which the Office Action contends corresponds to the image file server 10) and the shared data file that was downloaded previously (which would correspond to a previously downloaded picture of the product). Bittinger was relied upon to remedy this deficiency. However, in view of the structure of Schroeder, there would have been no reason to modify Schroeder in the manner proposed in the Office Action; indeed it would make no sense to make such a modification.

Bittinger et al. patent relates to CGI (common gateway interface) forms and allows the server to pass requests from a client browser to an external application. The web server returns an output from the external application to the web browser. Bittinger et al. refers to difference data corresponding to the difference between an intercepted response and a server base form.

In view of the way in which Schroeder operates, and the alleged correspondence between Schroeder's stored product images and the recited "shared data file," there would be no reason to modify Schroeder to use differential data in supplying the product photos. Specifically, Schroeder relates to supplying entire images, e.g., JPEG photos, to a client. In Schroeder the UPC image server always has the most up-to-date pictures of the products, which would always entail a *completely new photograph of the product*. One of ordinary skill in the art would not modify Schroeder to only send

differential data indicative of the change between the old picture of the product and the up-to-date picture of the product at least because *JPEG images are not updated in this manner*. Entirely new pictures are always used.

Moreover, the Office Action has not identified any manner of applying differential data to Schroeder's images. The fact that JPEG images are not the type of files that are updated by the sending of differential data would have dissuaded one of ordinary skill in the art from even attempting the proposed modification, at least because there would be no reasonable expectation of success.

If the Examiner intends to maintain the position that (1) Schroeder's product images correspond to the recited "shared data file" and (2) it would have been obvious to modify Schroeder to send only differential data to update those JPEG images, the Examiner is requested to identify some teaching in the prior art that shows how photographs, e.g., of a product, can be kept up to date by sending only the differential data from the previous image of the product.

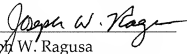
In view of the impropriety of the proposed combination of references, no prima facie case of obviousness has been set forth as against claim 1. The other independent claims also recite the feature relating to differential data discussed above in connection with claim 1 and are believed patentable for substantially similar reasons.

The other claims are dependent on one or another of the independent claims discussed above and are believed patentable for at least the same reasons as their respective base claims.

In view of the above, Applicant believes the pending application is in condition for allowance.

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Respectfully submitted,

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